

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Cr. No: 05-10093-PBS
)
JAMES LEWIS)

JOINT MEMORANDUM REGARDING INITIAL STATUS CONFERENCE

The parties through counsel, file this Joint Memorandum addressing the items set forth in Local Rule 116.5(A)(1) through (A)(7).

By way of introduction, as the Court is aware, the Indictment in this case alleges that the defendant was an IRS employee who, instead of processing certain taxpayer documents, destroyed and attempted to destroy them. Thus far the government has copied and provided to the defendant what it believes is the entire investigative file. As to the items in Local Rule 116.5(A)(1) through (A)(7), the parties state:

1. No relief is requested from the otherwise applicable timing requirements.

2. The defendant requests expert disclosure by July 1, 2005. The parties request reciprocal expert discovery be provided by the defendant on or before July 18, 2005.

3. At this point the parties do not anticipate providing additional discovery as a result of its future receipt of information, documents, or reports of examinations or tests.

4. The parties believe that a motion date should be established under Fed. R. Crim. P. 12(c) at the Interim Status

Conference.

5. The parties believe that all of the time from the Arraignment through the Interim Status Conference should be ordered excluded under the Speedy Trial Act.

6. The parties anticipate that a trial will be required. The parties believe that the trial could be completed in one week.

7. The parties request a date in mid-July for an Interim Status Conference.

Respectfully submitted,

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